

REMARKS

Responsive to the Notice of Non-Compliant Amendment mailed August 1, 2006, and the telephonic conference with the Examiner on August 14, 2006 as to how to mark the original patent text and drawings, Applicant submits:

1. The original specification patent sheets columns 3, 4, 5, and 6 showing the original text with the removed previously proposed additional specification material is submitted so that there is now no new added material to the specification. The rejection according to 37 CFR 1.173(b) (1) should therefore be withdrawn.

2. The original patent drawing sheets Figs. 1, 2, and 4 of the original patent drawings without the replacement sheet designation are attached, so the objections to the drawings should now be withdrawn under 37 CFR 1.173(b) (3).

3. Support for added Claim 8 to eliminate the requirement of the side vents to release heat through the exposed the top part of the iron is shown in Figs. 2 and 4. Specifically, Fig. 4 shows some of the side flaps do not have vents. In addition, no mention is made of side vents in Column 2, lines 34-39 of the specification, which describes how the expandable side flaps are secured together to extend sufficiently around the sides of the iron to secure the iron cover there around with draw strings or other securing means leaving the top of the iron exposed for heat release:

“Attached to the padded bottom are [sic] a plurality of side flaps also covered by a heat resistant liner. The side flaps are expandably secured together to extend sufficiently around the sides of the iron to secure the iron cover there around with draw strings or other securing means.”

Thus, the exposed uncovered upper segments of the iron itself are used to dissipate heat without the need for side flaps. Consequently added Claim 8 following the wording of the original Claim 1 was added deleting the following limiting language of the original claims: “and structured to define a plurality of heat release vents”. The added Claim 8 is therefore supported by the specification, drawings, and claims, and adds no new subject matter. The rejection of Added Claim 8, as amended, under 37 CFR 1.173(c) should therefore be withdrawn.

4. Support for added Claim 9, dependent upon Added Claim 8, directed to a cover with the shape of a conventional iron having a pointed end with elastic cord securing means is based on the specification language found in column 3, lines 38-40, and lines 41-44:

“Various types of fasteners can be used for this purpose, or the ends of the elasticized cords may be secured or tied together without a fastener.”; column 3, lines 38-40

...

“Other iron cover shapes may be employed as long as they are sufficient to cover the sole of the iron to protect it from dirt, scratches, dents or other impact damage, which mar the iron sole surface.”; column 3, lines 41-44

These references encompass a cover employing a cord, which is shaped to cover a conventional angle iron with a pointed end. The 37 CFR 1.173(c) of Added Claim 9, should therefore be withdrawn.

5. Support for added Claim 10, dependent upon Added Claim 9 directed to a cover shaped to accommodate a conventional angle iron having a pointed end with side flaps defining side vents, is supported by the specification language of column 2, lines 39-43:

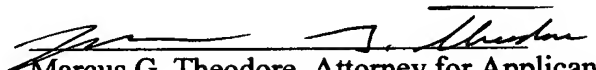
“Each side flap is separated and structured when folded about the iron to define side heat release vents there between to allow heat to escape from the cooling hot iron placed therein for storage.”

The rejection of Added Claim 10, as amended, under 37 CFR 1.173(c) should therefore be withdrawn.

6. Added Claims 11-17 drawn to new matter were cancelled.

In view of the above amendments, Claims 1 through 10, as amended, should therefore be approved for issuance. If additional amendments are required, a telephonic discussion with the Examiner is requested.

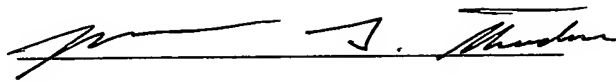
Dated this 14th day of August 2006.


Marcus G. Theodore, Attorney for Applicant
Reg. No. 26,815
466 South 500 East
Salt Lake City, Utah 84102
(801) 359-8622

CERTIFICATE OF MAILING

I certify that I mailed a true and correct copy of the foregoing Second Amendment; postage prepaid, to Mail Stop Examiner David T. Fidei on behalf of the Commissioner for

Patents, Washington, D.C. 20231, this 14th day of August 2006.

A handwritten signature in black ink, appearing to read "J. Thudner", is written over a horizontal line.